

REMARKS

Overview

Claims 15-29 are pending in this application. Claims 15, 17, 18, and 24 have been amended. Claim 29 is new. The present response is an earnest effort to place all claims in proper form for immediate allowance. Reconsideration and passage to issuance is therefore respectfully requested.

Summary of the Telephonic Interview of February 22, 2006

The undersigned Attorney and the Applicant thank the Examiner and Supervisory Examiner Joseph Thomas for the courtesy extended in the Examiner Interview of February 22, 2006. The Examiner's Interview Summary has been reviewed and is an accurate and complete summary of the interview. The Schneider reference was discussed as well as claim 15, in particular. No agreement as to allowability was reached.

Claim Amendments

All claims are patentable over the prior art cited for the reasons expressed in the Amendment of February 13, 2006. In addition, claims 15, 17 and 18 have been further amended to further distinguish the prior art of record. It is respectfully submitted that all claims are in proper form for immediate allowance. Reconsideration and passage to issuance is therefore respectfully requested.

It should be appreciated the present invention is not directed to performing a break even analysis for crop insurance. According to one aspect of the present invention, although selecting crop revenue insurance levels is a component of the present invention, crop revenue insurance is used to underwrite the marketing (including pre-selling). In other words, pre-selling is used to guarantee a price for a certain quantity of crop. Crop revenue insurance is used to guarantee the

access of that certain quantity of crop to be produced and pre-sold. Thus, the crop revenue insurance underwrites the marketing (commodities pre-selling) which provides an assured income and thus the marketing can be used to underwriting financing.

The selection of the quantity to pre-sell at a particular price and the amount of crop revenue insurance coverage to obtain is based upon scoring of a financial assessment and scoring of a marketing financial risk, as well as consideration of a price risk obtained from a marketing service. Thus, risks can be eliminated to provide an assured income where a producer is not in a financial position to accept any risks or where the risks are otherwise too high. Alternatively, a lower level of assured income may be needed where there is less market risk or the producer is able to withstand more risk. In other words, the risks associated with agriculture are managed and assured income set based on the tolerance of risk.

The claims have been amended to recite in greater detail the inter-relationships between the claim elements as it is believed that such amendment further clarifies that the invention is patentably distinct from the prior art of record.

With respect to claim 15, Schneider does not, for example, disclose "(e) determining pre-sell quantities using the financial assessment score, the marketing financial risk score and a price risk associated with a commodity market; (f) calculating a level of crop revenue insurance to assure a predetermined level of income from sale of predetermined pre-sell quantities of crops for use in meeting the financial obligations, such that the financing is underwritten by pre-selling and the pre-selling is underwritten by the level of crop revenue insurance."

With respect to claim 17, claim 17 requires "determining pre-sell quantities using the financial assessment score, the marketing financial risk score and the price risk of the commodity market; calculating a level of crop revenue insurance to assure at least a predetermined level of income from sale of predetermined pre-sell quantities of crops, thereby underwriting the predetermined level of income by pre-selling and underwriting the pre-selling by the level of crop revenue insurance."

With respect to claim 18, claim 18 requires "the developing of the strategic marketing plan including determination of a financial assessment score associated with the producer and a marketing financial risk score defining financial risks related to markets and income of the producer to assist in determining the assured income for the producer."

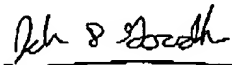
In all of these claims, the focus is on predetermining a level of income that can be assured, based on the amount of risk a producer can tolerate given their financial assessment score and marketing financial risk score. Pre-selling and crop revenue insurance are determined to assure this income level regardless of the amount of crop produced and the volatility of market conditions. Thus, the present invention provides significant advantages over the prior art.

Conclusion

No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and passage to issuance is respectfully requested.

Respectfully submitted,



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